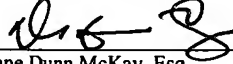




Docket No. 5233-103 US

The undersigned certifies that this communication is being deposited with the United States Postal Service as prepaid first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 9, 2006.


Diane Dunn McKay, Esq.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	Customer No.
BOURASSA et al.	:	26817
	:	
Serial No.: 10/796,936	:	Group Art Unit: 1614
	:	
Filed: March 10, 2004	:	Examiner: Shirley V. GEMBEH
	:	
Title: METHOD AND COMPOUND TO	:	Confirmation No. 3284
REDUCE THE INCIDENCE OF DIABETES IN	:	
A SUBJECT WITH CHRONIC HEART	:	
FAILURE	:	
	x	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In an August 10, 2006 Office Action, the Examiner required restriction to one of the following groups:

I. Claims 1-7, drawn to a method for preventing the incidence of diabetes mellitus in a subject with chronic heart failure comprising administering a therapeutically effective amount of an ACE inhibitor, classified in class 514, subclass 408.

II. Claims 8-15 are, drawn to a method for preventing the incidence of diabetes mellitus in a subject with chronic heart failure that is being treated with a

beta-blocker comprising administering a therapeutically effective amount of an ACE inhibitor, classified in class 514, subclass 423.

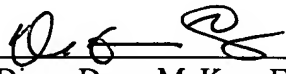
III. Claims 16-22 are, drawn to a method for preventing the incident of diabetes mellitus in a subject with chronic heart failure comprising administering a therapeutically effective amount of an angiotensin II receptor antagonist, classified in class 514, subclass 406.

Applicants hereby elect with traverse Group I, Claims 1-7, drawn to a method for preventing the incidence of diabetes mellitus in a subject with chronic heart failure comprising administering a therapeutically effective amount of an ACE inhibitor, classified in class 514, subclass 408 for prosecution in this application. Applicants submit that a search of the method of Group I would uncover the methods of Group II and Group III. Applicants respectfully request the right to file a divisional application directed to the unelected claims.

A prompt action on the merits is earnestly solicited. The Examiner is invited to telephone the undersigned should he believe this would expedite prosecution of this application. It is believed no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,

Dated: October 9, 2006



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